

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C**

- Stay all payments on all Entrepreneur's C Block licenses until all pending matters are settled.
- Stop all appeals to the GWI bankruptcy decision, and match all new values set by the courts to all Entrepreneurs' C Block licenses. Why is the FCC determined to IMPEDE a ruling that favors a small business?
- Eliminating the unjust enrichment payment rules, along with the transfer of control rules THIS COULD ONLY HELP.
- Modify the build out to ten years.
- Immediately implement the Telecommunication Development Fund.

Respectfully submitted,

Vincent D. McBride

Vincent D. McBride
2655 30th Street Suite 203
Santa Monica Ca 90405

Tel: 310-452-4003
Fax: 310-396-0048

May 5, 1998

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C**

ENCLOSURE LIST OF 43 SMALL C BLOCK COMPANY'S

COMTEL PCS
FAMS AND ASSOC.
CELLUTECH
GEORGIA INDEPENDENT PCS
GLOBAL INFORMATION TECHNOLOGIES INC.
GUEST MARK M
INDUS INC
INTEGRATED COMMUNICATIONS GROUP
LONGSTREET COMMUNICATIONS INTERNATIONL INC.
LORALEN CORP,
MBO WIRELESS INC.
McBRIDE VINCENT D.
MFRI INC.
MICCOM ASSOCIATES LTD.
NATIONAL TELECOM HOLDINGS INC.
NATIONAL TELECOM PCS INC.
NEW WAVE PCS INC.
NORTH DAKOTA PCS LP
NOVERR PUBLISING INC
PCS MOBILE AMERICA INC.
PCS ONE
PCSOUTH INC.
POKA LAMBRO/PVT WIRLESS LP.
PVT WIRELESS LP.
RESERVE TELPHONE COMPANY INC.
RFW INC.
RLV-PCS 1 PARTNERSHIP
ROSAS INC.
RT COMMUNICATIONS INC.
SAVANNAH INDEPENDENT PCS CORP.
SOUTHERN COMMUNICATIONS SYSTEMS INC.
SOUTHERN WIRELESS LP.
SOUTHWEST MINNESOTA PCS LP
SOWEGA WIRELESS COMMUNICATIONS LP
THIRD KENTUCKY CELLULAR CORP.
TWS LLC
VIRGINIA PCS ALLIANCE CONSORTIUM
WINDKEEPER COMMUNICATIONS INC.
WIRELESS TELECOMMUNICATIONS CO.
BROOKINGS MUNICIPAL UTILITIES
CENTRAL ALABAMA PARTNERSHIP LP 132
KMTel LLC
WESTERN MINNESOTA PCS LP

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC**

May 18, 1998

In the Matter of

WT Docket No. 97-82

Amendment of the Commission's Rules
Regarding Installment Payment
Financing for Personal Communications
Services (PCS) Licensees

To: The Commission

I ask the Honorable Commission to please consider this attachment, along with the comments I have timely filed on May 8, 1998.

COMMENTS

If the Commission is to have a reaction of the C Block licenses, the re-auction could take up to a year or more to start, and would delay service to the American public when you consider all of the petitions, bankruptcies, and appeals, that will be filed. Also the winning bidders would enjoy a new five-year build out date after the re-auction ends, and the five-year build out clock will have to start from zero once more. This would mean that small towns all across America would not have competition or new digital PCS services for five years. It could be some time in the year 2005 before towns like Williston ND, total population 13,000 ever sees competition.

This would give the gigantic A and B block auction winners like AT&T, Sprint and the Baby Bells of the world an even bigger head start. I believe the three year head start that the commission has already given them (by having the A and B block auctions first and not after the Entrepreneur's C Block auction) is plenty.

If you consider the low auction prices that the American taxpayer was presented for the WCS and LMDS licenses, some of which sold for as low as one dollar, or the licenses that did not even get a bid. I would not bet on more then 25 cents on the dollar in the re-auction.

Any smart bidder in the re-auction will look at the past bids in the A,B,D,E, & F block auctions in order to interpret the values or prices of the licenses for sale at the re-auction. The fact of the matter is, this value or price is no more then 25% of the C Block net bids. And that would be top dollar. The sad FACT is that the American taxpayer may not even see 10 cents on the dollar. In order for any one to interpret the values, or the prices of the

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re-auction, you would thrown out the prices in the last C Block auction for one reason and one reason only, over 70% of the net bids in the C Block auction was bogus. In the re-auction the bidders will handicap each market, the way you pick a winning horse at the racetrack. You can't count the last race if the jockey falls off the horse. And so it is, with the C block values, the jockeys fell off the four winning horses, which made \$7Billion in fake bets.

If the Commission believes it will secure more then 25% on the dollar for the American taxpayers, its thinking is candidly misguided. After all we are talking about licenses that are being returned, at a vast loss to the last winners.

CONSIDERATION s

After the GWI Federal Bankruptcy Court ruling, by Judge Steven A. Felsenthal, this is a no brainier for the Commission. The Commission only has to match the new values given to GWI licenses by the Federal Bankruptcy Courts and Judge Felsenthal to the rest of the C Block companies. Not only will the American taxpayer secure the same dollar amount if not more then it would earn at a re-auction, the Entrepreneur's in the C Block auction will have a very good shot at surviving. At the same time the Commission will meet all the statutory mandates under Section 309(j) of the Telecommunication Act of 1996. Congress will be happy, as well as the American public in small towns all across America ("not just in New York City or Los Angeles") who will enjoy new digital PCS service in less then three years. This is a win-win-win solution.

CONCLUSION

I ask the Honorable Commission to hear the small voice in the Entrepreneur's C Block auction, the winners with only one license, please don't punish us for the misbehavior of a few, I ask the Honorable Commission to only do what is fair and right. I ask the Honorable Commission to please do the right thing.

Respectfully submitted,

Vincent D. McBride

Vincent D. McBride
2655 30th Street Suite 203
Santa Monica Ca 90405
Tel: 310-452-4003
Fax: 310-396-0048

McBride

May 18, 1998

The Honorable Senator Conrad Burns
U.S. Senator
187 Dirksen, Senate Office Building
Washington, D.C. 2051

Dear Honorable Senator Conrad Burns

Subject: Petition For Reconsideration On C Block PCS Licensees

I am enclosing your complimentary copy of my Petition for reconsideration to the FCC. I am asking you to please help me bring this matter, to the attention of the new commission.

It is with urgency, that the new commission fully understand the fundamental principles of the Entrepreneurs C Block auction and the responsibility the commission has to ensure the integrity of **Section 309 (j) of the Telecommunications Act**. The Telecommunications Act should supersede all concerns the commission has regarding the Entrepreneurs C Block auction.

I feel it is most important that any rules adopted by the commission promote competition, and encourage **Designated Entities** to participate in the wireless telecommunications industry, as you have very clearly worded in the Telecommunications Act of 1996. It is also just as important that the commission rules are fair, impartial and equitable to all.

Thank you for your time and concern, regarding the above.

Respectfully

Vincent D. McBride

McBride

Delivered Via: Express Mail No.

May 28, 1998

The Honorable Commissioner
William E. Kennard
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Commissioner William E. Kennard

The Federal Communications Commission has dramatically and exclusively broken the rules of the Entrepreneur's C block auction. The rulings by the Commission have been selective, and unfair to the smallest players in the C block auction, whose needs have been constantly ignored. These tailored back room regulatory policies will have a significant economic impact on a substantial number of Small Business entities.

The FCC knowingly and willfully broke a contract between the FCC and all Small Business entities. I have and will continue to suffer irreparable harm. The FCC violations of the C block rules have directly hindered and delayed our ability to execute our business plans. It has also prevented our performance and ability to secure and keep investors.

I am now convinced that I can no longer trust the FCC to work within the boundaries of congressional mandate. **"The Telecommunications Act"** **"The Small Business Regulatory Enforcement Fairness Act"** and the **"The Small Business Act."**

I Vincent D. McBride ask the Commission for full amnesty, and that all funds on deposit with the U. S. Treasury regarding the Williston N.D.license B476C are refunded at once.

Respectfully

Vincent D.McBride

McBride

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

WT Docket No. 97-82

In the Matter of

Amendment of the Commission's Rules
Regarding Installment Payment
Financing for Personal Communications
Services (PCS) Licensees

To The Commission

REQUEST FOR WAIVER OF RULES

INTRODUCTION

Pursuant to C.F.R. 47 Section 24.419 (a) (b) of the Commission's rules, I Vincent D. McBride request a waiver of the June 8, 1998 Election Date for Broadband Personal Communications Services (PCS) Public Notice DA 98-741 Released April 17, 1998 by the Wireless Telecommunications Bureau. (Bureau), pursuant to the *Order on Reconsideration of the Second Report and Order (Reconsideration Order)* along with a waiver of the *IMPLEMENTATION PROCEDURES (Instructions)* regarding the above June 8, 1998 Election Date.

The Public Notice dated May 18, 1998 with the "Implementation Procedures" (Instructions) was released only 15 business days from the June 8, 1998 dead line. With the Memorial Day weekend this is only 14 business days. The Order on Reconsideration of the Second Report and Order (Order on Reconsideration) was released on March 23, 1998, but came with out adequate instructions (Implementation Procedures) or a guide to assist the small business in understanding the rules.

This sort of **string along** Public Notice policy may have been unintentional, but is not adequate notice. I believe this breed of regulatory inflexibility is out of bounds and is contrary of the **Small Business Regulatory Enforcement Fairness Act (RFA)** of 1996 as Enacted into Law, March 29, 1996. This also triggers an analysis of Section 257 and Section 309 (j) of the Telecommunications Act of 1996. "**Identify and Eliminate Market Entry Barriers for Small Businesses.**"

THE SCOPE OF SECTION 257

The Office of Advocacy was formed in 1976 to serve as a Voice for small business within the federal government. Its Statutory duties include serving as a focal point for complaints Concerning the federal government's small business policies, Representing the views of small business before other federal Agencies, developing proposals for changes in any agency's Policies and communicating such proposals to the appropriate Agencies. 15 U.S.C. 634c(1)-(4).

With the passage of the 1996 Act, Congress began the process of unlocking the doors of many telecommunications markets that have long been dominated by monopolies. The 1996 Act lays the

foundation for an entire new set of rules that will allow competitors to enter and compete in these markets.

The Office of Advocacy of the Small Business Administration Hereby submits its comments in the Commission's proceeding to identify and eliminate market entry barriers to small businesses in the various telecommunications markets. The Commission's Proceeding is designed to implement the provisions of Section 257 Of the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996)("the 1996 Act").

In the broadest sense, Section 257 simply applies the overall intent of the 1996 Act specifically to small businesses. The purpose of Section 257 is manifestly simple: identify and eliminate market entry barriers for small businesses. This unmistakable mandate will be the sole and sufficient measure of the Commission's success in this docket.

Having only 14 business days to decipher and calculate the impact that each option election will have on my business is impractical. The instructions, which is not in "Plain English" and with English being a second language for many of the Small Business Entrepreneurs that I have talked with consent that the June 8, 1998 dead line is impossible to comply with in 14 days.

Enforcement of the June 8, 1998 dead line will have a **"significant economic impact on a substantial number"** of small entities. Enforcement of this June 8, 1998 dead line will drive a stake into the heart of the Entrepreneurs C Block auctions, and all Small Businesses.

As a group of Small Business affiliated licensees that wish to be treated as a single licensee for the purposes of making an election, we must choose a chief affiliate. The chief affiliate will be responsible for making all elections. The chief affiliate will have to choose which BTA within each MTA the group will keep and prepay, which market it will return, which market it will desegregate, and which market it will surrender to the Commission.

Then you have to calculate the down payment credits for each BTA, the interest payment credits, the total credits, the ownership and voting rights for each member of the new group. And now you have to calculate which BTA would be the best market to prepay for in all cash at 100% of the bid price. Plus the Commission is adding a 30% to 50% punitive fine to this all cash price depending how well we can estimate our credits. This fine is on top of the C block bid prices which is 400% over the cost of the A, B, D, E, F, block prices or the price that AT&T paid.

These groups of Small Business licensees whom have never met each other and who live all around the county must find the solution to this mathematical puzzle that the Commission has come up with, in 14 days with out any kind of grace periods. This is not only impossible, but must be some kind of psychotic joke. Did anyone at all, try to read the so-called Implementation Procedures?

In a letter to than Chairman Reed E. Hundt dated September 8, 1997 from Chief Counsel Jere W. Glover of the Office of Advocacy caution the Commission about a blanket deferral of instalment payments. He states in his letter that **"As a matter of law"** any blanket deferral is a material change to a contract and could null and void any security agreement or note. The fact of the matter is the commission has broken the rules of the C block auction, an agreement between the FCC and all C Block winning bidders which is essentially a contract.

For Mr. Daniel Python of the Wireless Telecommunications Bureau to ask Congress to help the Commission by passing some kind of unprecedented bankruptcy law, regarding the distressed Small Business C block licensees will trigger charges of collusion, fraud, and racketeering under the Reco Act. At the same time Mr. Daniel Python he is trying to coerce Small Business into a force checkmate. A move

that will end the game in a wake of irrevocable bankruptcy. I am reckoning that Mr. Python is not a very good chess player, and as far as the game of poker he just showed every body his hand, which I must say is not good. May be Mr. Python should try a game of solitaire.

CONCLUSION

I believe the facts stated in this waiver request meets all of the standards set forth in the Commissions rules under the 47 C.F.R Part 24 § 24.419(a)(1)(ii) (i),(2) (b). The unique facts and circumstances of the financially troubled Entrepreneur's C Block auction winners clearly requires the commission to analyze this individual waiver request before it as a whole.

REQUEST

- The Commission should fasten a 90-day grace period on to the June 8, 1998 dead line.
- The Commission should give any one filing an Election Notice 30 days to cure any defects.
- The Commission should give a 100% credit on the down payment.
- The Commission must offer all C Block winners a 100% refund **FULL AMNESTY**.

Respectfully submitted

Vincent D. McBride

Vincent D. McBride
2655 30th Street Suite 203
Santa Monica Ca 90405

Tel: 310.452.4003
Fax: 310.396.0048

May 28, 1998

**Before the
FEDERAL COMMUNICATION COMMISSION
Washington D.C.**

November 1, 1997

In The Matter of

Amendment of Commissions
Rules Regarding Installment Payment
Financing For Personal Communications
Services (PCS) Licensees

**WT Docket No. 97-82
FCC 97-342**

To: William F. Caton
Acting Secretary of the FCC

COMMENTS

Introduction

My name is Vincent D. McBride I am a Letter Carrier for the U.S. Postal Service, and also one of the 87 winning bidders in the FCC Entrepreneur's C block auction, winning a PCS License for the Williston North Dakota market, the smallest market of the 493 markets. To date I have made all of the required payments on time. After evaluating the menu of options presented by the Commission, I feel these options will create a financial obstacle, and are fundamentally wrong for the following reasons.

Argument

Option No.1 Existing Note Obligations.

1a) Option No.1 contains no solutions for the financially troubled Entrepreneur's C block auction licensees in any way. This is the same option we had on March 31, 1997 but only now it's a year later. Since it took six months for the Commission to offer this option the value of our licenses has only deteriorated, and has increased our risk of bankruptcy. This option offers no incentives at all, and therefore is worthless.

Option No.2 Disaggregation.

2a) Since option No.2 is the only option that may offer a choice to small bidders with one or two markets, the penalty on the down payment should be uniform with the penalty given to someone selecting option No.4. An additional 20 percent penalty for selecting option No.2 is not equitable. For option No.2 to be effective the penalty on the down payment should be eliminated.

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2b) The value of a 15MHz License is not the same as the value of a 30 MHz License. (See Commission Rules WT Docket No. 96-59 "Adjusting for Lower Values of 10MHz Licenses.") The point is: when we placed our bids in the C block auction we did so based on the value of a 30MHz license, not based on the value of a 15MHz license. We ask the commission to use the same rationale as Docket No. 96-59 and make an adjustment to the debt and the down payment based on the value of a 15MHz license.

2c) Option No.2 in addition to trimming our spectrum holding will also introduce another competitor into the market place. At the start of the PCS auctions our business case was based on the fact that the number of potential competitors in each market would be no more than six PCS licensees in each market, one for each auction block A, B, C, D, E & F. But after the auctions have ended, the commission altered the rules by introducing disaggregation, and now the C block will be cut in half adding yet one more competitor to the market place. It looks like we could have as many as twelve competitors in each market, plus two cellular companies, SMR, WCS, LMDS, and GWS licenses. By changing the rules in the middle of the game the commission has inherently wrecked the business case and devalued all C block licenses by as much as 75 percent. This has severely weakened the business model which financial investors depend on. (See *Wireless Week* October 6, 1997 "Wall Street Unaltered by C Block Plan.")

Option No.3 Amnesty.

3a) Option No.3 is asking us to forfeit 100 percent of our down payments posted to date. This is millions of dollars in forfeiture, not including other additional expenses, and three years of time. Option No.3 is punitive in nature and is not amnesty.

Option No.4 Prepayment.

4a) Option No.4 is nothing more than a bailout for a few large bidders in the Entrepreneur's C block auction. With this option the commission is allowing them off the hook for over **Six Billion Dollars** with a small penalty of less than 3 percent of the total debt outstanding. These same bidders will enjoy the right to select a few choice markets from their **holdings** and then enter the reauction. On the other hand, you have restricted the small **bidder** to accept option No.2 who will end up paying a 50 percent penalty on the down payment. This is not equitable.

4b) If the very small bidder could afford to pay all cash for the licenses, we would not have been in the Entrepreneur's C block auction in the first place, and would have been in the A & B block auctions.

4c) Option No.4 unfairly discriminates against the smaller bidder in the Entrepreneur's C Block Auction, and is inequitable. It exclusively represents the views of the larger players in the Entrepreneur's C block auction, and has no commercial value for the smaller bidder.

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4d) Only a few days prior to the start of the auction, the commission adopted the Adarand ruling, and did away with the designated entities bidding credits for very small businesses owned by minorities and women in the Entrepreneur's C Block Auction. By doing so, it eliminated any advantages that a small bidder would have had over bidders like **U.S.Airwaves who had a up front deposit of more than 81 Million Dollars.** For the commission to now ask the small businesses, minorities, and women to accept option No.4 and pay all cash for it's licenses plus a penalty on its down payment would eliminate the only worthwhile benefit left in the Entrepreneur's C block auctions the installment payment plan.

4e) The Entrepreneur's C block auction total net bids in the amount of ten billion dollars was inflated by what now appears to be fraudulent bids of over **Seven Billion Dollars** or **70 percent** of the total net bids in the Entrepreneur's C Block Auction, placed by the top four bidders alone. In fact, one bidder - **BDPCS** - never made it out of the starting gate, it never even had the first 5 percent down payment. (*See RCR cover story May 5, 1997 " Ex-PCS Player BDPCS Blames Loss On US West."*) The other bidder - **Pocket Communications** - is now in bankruptcy. The top bidder - **Next Wave** - could not even make the first interest payment on it's \$4.7 billion dollars of bids forcing the FCC to suspend all interest payments. Additionally, the issue of NextWaves violation of the FCC foreign ownership rules is not being addressed. (*See RCR cover story February 24, 1997 "FCC Puts NextWave's Foreign Ownership Near 40%."*) This fraudulent bidding had a substantial effect on the prices and inflated the C block auction by as much as 400 percent. (*See RCR March 25, 1997 "Gaming Professor Says NextWave Bids Skewed C Block Auction."*) The D E & F block auctions, for exactly the same amount of spectrum, sold for 25 percent of comparable C block markets (*See Wireless Telecommunications Bureau Facts.*) The Wall Street brain trust at the FCC Entrepreneur's C block hearings on June 30, 1997 said that a re-auction would bring about twenty five cents on the dollar or roughly the equivalent of what was spent on the A or B block auctions. Now the FCC is asking the other 83 winning bidders to help bailout a few large bidders by forfeiture of our down payments.

4f) The irony is that option No.4 works counterclockwise of the commission goal to promote competition and encourage Designated Entities to participate in the wireless telecommunications industry. Instead, it unfairly discriminates against the smaller Entrepreneur's C block bidders and is a bold slap in the face to all small businesses by ignoring the mandate of congress under Section 309 (j) of the Telecommunications Act. All of the above options are worthless to the smaller bidder. The options will only place a commercial cloud over the Entrepreneur's C block auction . If this is the only options the commission is willing to muster, then we would highly recommend to the commission not to change the rules one bit. We have no problem with making our payments on time. After all, "**the rules are the rules.**"

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The problems of the Entrepreneur's C block auction should not come as a big surprise to the commission, because it was the commission decisions that fertilized the pandemonium by:

- *Defining a small business (General Rule: 24.709) as having total assets of \$500 million or less*
- *Adopting the Adarand decision three days before the start of the auction*
- *Giving NextWave the O.K. to violate the foreign ownership rules*
- *Giving the A& B Block a two year head start*
- *Allowing Pocket Communications to file for bankruptcy by subordinating the FCC first lien on it's licenses*
- *Changing the rules with the suspension of all installment payments*
- *Giving the comments of large telecommunications companies too much weight and input on the rule-making decisions of the Entrepreneur's C Block Auction*
- *Allowing PCS spectrum disaggregation after the fact.*

Consideration

The C block licensees are deteriorating in value with each day. If the commission is truly sincere about helping the Entrepreneurs C block then now is a good time for the commission to start thinking in new ways and looking for real solutions. For consideration:

- *Give full amnesty of 100 percent return of all down payments, plus all the interest payments*
- *Equalize the result of fraudulent over-bidding with a 75 percent discount of the total liability due on the licenses to those who complied with the rules*
- *Void NextWave's licenses for violating the foreign owner ship rules*
- *Re-auction Pocket Communications licenses*

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- Set the interest rate on the outstanding debt uniformly at 5.75 percent based on the day the Entrepreneur's C block auction ended, so all Entrepreneur's C block bidders have the same interest rate.
- Subordinate the first lien on all Entrepreneur's C block licenses to a secondary position
- Eliminate the restrictions of ownership on the Entrepreneur's C block licenses
- Request a one time tax credit from congress for anyone who makes an investment in a Entrepreneur's C block license
- Immediately implement the Telecommunication Development Fund so that the funds are available to C block winners
- Modify option No.2 to include a choice of giving back 10, 15, or 20 MHz
- Eliminate all payments for the first 7 years, with no interest on the debt for the first five years
- Eliminate the build-out requirements for the first 7 years.

Conclusion

The commission has an absolute responsibility to the Entrepreneur's C Block bidders who have been misled down a road of broken promises. It is time for the commission to make good on the fundamental principles of the Entrepreneur's C Block Auction and all it's promises. The time has come for the commission to now face the music, and stop covering up for bad rule making decisions. It would be a crime for the commission to now look the other way when we are looking to the commission for real help.

Vincent D. McBride
2655 30th Street Suite 203
Santa Monica Ca 90405

Tel. 310.452.4003

Respectfully submitted,

VINCENT D. McBRIDE

By: _____
Vincent D.McBride

McBride

February 25, 1998

Michael H. Jeye, VP
COMSAT RSI
Plexsys Wireless Systems
607 Herndon Parkway, Suite 201
Herndon, VA 20170

Dear Mr. Jeye

This letter will serve as my understanding of our phone conversation of Thursday, February 19, 1998 regarding the existing business arrangement between COMSAT RSI Plexsys and myself for the Williston North Dakota PCS Market in which I hold a FCC license.

It is my understanding that you and COMSAT RSI Plexsys have made the decision not to fulfill our contractual business arrangement dated October 21, 1996.

It is also my understanding that COMSAT RSI Plexsys is hereby forfeiting their 75% future interest as stated in our business arrangement in the Williston PCS license along with all interest payments made to date in regards to the above license and any other payments made to any third parties.

If anything in this letter doesn't meet with your understanding, please get back to me by Thursday March 5, 1998.

Sincerely,

Vincent D. McBride

Via: Express Mail No. Z 096603261

McBride

November 21, 1997

Dear Honorable Representative:

Subject: Petition For Reconsideration On C Block PCS Licensees

I am enclosing your complimentary copy of my Petition for reconsideration to the FCC. I am asking you to please help me bring to the attention of the new commission, the fundamental principles of the Entrepreneurs C Block auction, and the responsibility the commission has to carry out the mandates of congress under Section 309 (j) of the Telecommunications Act.

I feel it is important that any rules adopted by the commission promote competition, and encourage **Designated Entities** to participate in the wireless telecommunications industry, and that all rules for the C Block auction be equitable.

Thank you for your time and concern, regarding the above, and may you and your family have the warmest of holidays.

With kind regards,

VINCENT D. McBRIDE

McBride

May 18, 1997

Dear Honorable Representative:

Subject: Petition For Reconsideration On C Block PCS Licensees

I am enclosing your complimentary copy of my Petition for reconsideration to the FCC. I am asking you to please help me bring to the attention of the new commission, the fundamental principles of the Entrepreneurs C Block auction, and the responsibility the commission has to carry out the mandates of congress under Section 309 (j) of the Telecommunications Act.

I feel it is important that any rules adopted by the commission promote competition, and encourage **Designated Entities** to participate in the wireless telecommunications industry, and that all rules for the C Block auction be equitable.

Thank you for your time and concern, regarding the above, and may you and your family have the warmest of holidays.

With kind regards,

VINCENT D. McBRIDE

McBride

May 27, 1998

The Honorable Senator Barbara Boxer
U.S. Senator
1700 Montgomery Street
San Francisco CA 94111

Dear Honorable Senator Barbara Boxer

Subject: **Petition For Reconsideration On C Block PCS Licensees**

I am asking your office with urgency, to make sure that the Federal Communications Commission (FCC) fully understand the fundamental principles of the Entrepreneurs C Block auction and the responsibility that the Commission has to ensure the integrity of Sections 309 and 257 of the **Telecommunications Act of 1996, The Small Business Regulatory Enforcement Fairness Act of 1996, and The Small Business Act of 1996 .**

I can no longer trust the FCC to work within the boundaries of standard and ethical business law, regarding the original formulation of the **Small Business C Block Auction Rules.**

I am also enclosing copies of my Petitions for reconsideration to the FCC, and asking you to please help me bring this matter, to the attention of the Congressional Telecommunications Committees, The Committees on Small Business, and to the Members of the Justice Department who are investigating commingling charges in the D,E, and F Block Auctions.

I believe that the hurried nature and the unethical rulings by the Commission are totally crippling our attempt to salvage the C Block licensees.

I also feel it is important that any rules adopted by the commission should promote competition, and encourage **Designated Entities** (Small Business) to participate in the wireless telecommunications industry. It is clearly worded in the Telecommunications Act of 1996 "**Identify and Eliminate Market Entry Barriers for Small Businesses**" This being the main reason I had participated in the C block Auction.

I believe that the **Telecommunications Act of 1996** as a Matter of Law mandates a fair and just Auction for Small Business.

Thank you for your concern, regarding the above.